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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GREAT AMERICAN INSURANCE :
COMPANY OF NEW YORK and NOVARTIS :
PHARMACEUTICALS CORPORATION, :

06 Civ. 13230 (WHP)

Plaintiffs, :

- against -

: **PLAINTIFFS' NOTICE OF**
: **MOTION *IN LIMINE* TO**
: **PRECLUDE TESTIMONY OF**
: **PROPOSED EXPERT NEIL**
: **ZOLTOWSKI ON BEHALF**
: **OF TA DEFENDANTS**

TA OPERATING CORPORATION d/b/a :
TRAVELCENTERS OF AMERICA, NEW :
PRIME INC. d/b/a PRIME INC., and TA :
OPERATING LLC, :


Defendants. :

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PLEASE TAKE NOTICE THAT, upon the annexed Declaration of Thomas M. Eagan, Esq. dated September 10, 2008, and upon all prior proceedings had herein, Plaintiffs Great American Insurance Company of New York and Novartis Pharmaceuticals Corporation, through undersigned counsel, will move this Court pursuant to the Federal Rules of Evidence before the Honorable William H. Pauley III, United States District Judge, in the United States Courthouse, 500 Pearl Street, New York, New York 10013, for an Order to preclude testimony of proposed expert Neil J. Zoltowski on behalf of the TA Defendants, and for such other relief as the Court deems proper and just.

Dated: Rye, New York
September 10, 2008

MALOOF BROWNE & EAGAN LLC

By 
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TO: All Counsel

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